



When recorded, please return to:

Paramount Owners Association Inc.
12601 W. Explorer Drive Suite 200
Boise Idaho 83713

CORRECTION RECORDING

(PM#33)

The following FORTIETH AMENDMENT TO MASTER DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR PARAMOUNT SUBDIVISION (Annexation – Subdivision No. 33) (the “Amendment”), dated July 18, 2017, was originally recorded on August 23, 2017, as Instrument No. 2017-078815, in the records of Ada County, Idaho.

The Amendment is hereby modified by striking the legal description of the Annexed Property contained in Article 1 and replacing it with the following description, to wit:

Lot 3, Block 59; Lots 9 through and including Lot 15, Block 68; Lot 1, Block 80 of PARAMOUNT SUBDIVISION NO. 33, according to the official plat thereof filed in Book 112 of Plats at Pages 16259 through 16261, as Instrument No. 2017-077428 on August 18, 2017, official records of Ada County, Idaho.

This correction page is now incorporated as part of the original Amendment.

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**FORTIETH AMENDMENT TO MASTER DECLARATION
OF
COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS
FOR
PARAMOUNT SUBDIVISION
(Annexation – Subdivision No. 33)**

July 18, 2017

RECITALS

WHEREAS, there has been recorded by Paramount Development, Inc., an Idaho Corporation, as Grantor, a **Master Declaration** of Covenants, Conditions, Restrictions and Easements for Paramount Subdivision dated April 1, 2004, and recorded April 21, 2004, as Instrument No. 104047957, records of Ada County, Idaho; which Master Declaration has been amended from time to time (collectively hereafter as amended "**Master Declaration**");

WHEREAS, the Master Declaration allows for the annexation of additional property to Paramount Subdivision, which additional property, when annexed, is brought within the provisions of the Master Declaration;

WHEREAS, pursuant to Section 14.02(b) of the Master Declaration and the Thirty-First Amendment to the Master Declaration dated August 6, 2014, and recorded November 20, 2014, as Instrument No. 2014-094454, records of Ada County Idaho, the provisions of the Master Declaration may be amended by an instrument in writing signed by a majority of all Class B votes by the Class B Members of the Association;

WHEREAS, pursuant to Section 6.03 of the Master Declaration, as amended, Declarant is the sole Class B Member;

WHEREAS, the desire to amend the Master Declaration to provide the Association the power to enforce the terms of the Declaration by imposing fines, consistent with Idaho Code §55-115; and

WHEREAS, the purpose of this Fortieth Amendment is to amend the Master Declaration to allow for the imposition of fines, to annex the additional property hereafter described, and upon such annexation to subject such additional property to all of the terms, covenants, conditions, restrictions and easements contained in the Master Declaration, as may be amended or modified, and to supplement the Master Declaration.

**ARTICLE I.
ANNEXED PROPERTY**

The property which shall be annexed under the Master Declaration is the real property owned by Brighton Development Inc., an Idaho corporation, described as follows:

**Lot 2, Block 59, and Lots 9 through and including Lot 15, Block 68 of
PARAMOUNT SUBDIVISION NO. 33, according to the official plat thereof**

filed in Book 112 of Plats at Pages 16259 through
16261, as Instrument No. 2017-077428 on
AUGUST 18, 2017, records of Ada County, Idaho.

which above-described real property is hereafter referred to as "Annexed Property".

ARTICLE II.
DEFINED TERMS

Unless the context otherwise specifies or requires, the words and phrases in the Fortieth Amendment shall have the same meaning as such words or phrases are defined in the Master Declaration.

ARTICLE III.
ANNEXATION AND DECLARATION

Pursuant to Section 12.01 of the Master Declaration, the Grantor hereby declares that the Annexed Property is annexed to Paramount Subdivision, and brought within the provisions of the Master Declaration, and is hereby made subject to all of the covenants, conditions, restrictions and easements of the Master Declaration.

ARTICLE IV.
OWNERS ASSOCIATION

As provided in Section 12.01 of the Master Declaration, upon the annexation of the Annexed Property, the Owners of Lots within the Annexed Property shall become members of Paramount Owners Association Inc. (as defined in the Master Declaration) with all rights privileges and obligations as all other members. The Master Declaration is amended by the addition of the following sections:

A new Section 6.05(b)(i) is added to Section 6.05 as follows:

"(i) **Fines.** Notwithstanding anything else in the Master Declaration to the contrary, and without eliminating any other remedies available to it, the Association shall have the power to adopt, impose, and enforce fines for violations of Association rules or for any other provision of the Declaration. Such fines shall be a charge against the Owner and a Limited Assessment upon the Owner's Lot, enforceable in the same manner as any other assessment."

A new Section 9.04(d) is added to Section 9.04 as follows:

"(d) **Fines.** Any fines assessed pursuant to this Master Declaration and Section 6.05(b)(i) shall be a Limited Assessment upon the Owner and the Owner's Lot."

ARTICLE V.
EFFECTIVE DATE

This Fortieth Amendment shall be effective from and after the date it is recorded in the official Records of Ada County, Idaho.

[End of Text]

IN WITNESS WHEREOF, the undersigned, being the Grantor under the Master Declaration, and pursuant to Section 12.01 of the Master Declaration, has hereunto executed this Fortieth Amendment as of the date and year first above written.

GRANTOR:

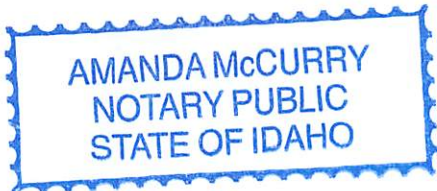
BRIGHTON DEVELOPMENT INC.,
an Idaho corporation


By: 
Jonathan D. Wardle, President

STATE OF IDAHO)
) ss:
County of Ada)

On this 18th day of July, 2017, before me, the undersigned, a Notary Public in and for said State, personally appeared Jonathan D. Wardle, known or identified to me to be the President of **BRIGHTON DEVELOPMENT INC.**, an Idaho Corporation, the Corporation that executed the foregoing instrument or the person who executed the foregoing instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.




Notary Public for Idaho
My Commission Expires: 4/15/2023